

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

Leslie Tallman; Guy Greene; Anthony
Garnett; Max Ortega; Lance Wickner;
Steven Housman; Russell Norton; Russell
Hatton; Kevin Moen, and all others
similarly situated,

Civil No. 16-653 (DWF/TNL)

Plaintiffs,

v.

**ORDER ADOPTING REPORT
AND RECOMMENDATION**

Emily Johnson Piper, Commissioner of the
Department of Human Services; Scott Benoit,
Program Manager; Andrea Kosloski,
Unit 1-B Director; Brian Ninneman, Unit I-C
Director; Kevin Carlson, Assistant Group
Supervisor; Ryan Fahland, Assistant Group
Supervisor; Cara Keinanen, Security
Counselor; Trisha Archambault, Security
Counselor; Wendy McGowan, Security
Counselor; and Cheryl Floren, Security
Counselor,

Defendants.

The above matter comes before the Court upon the Report and Recommendation of United States Magistrate Judge Tony N. Leung dated August 29, 2016. (Doc. No. 17.) No objections have been filed to that Report and Recommendation in the time period permitted. The factual background for the above-entitled matter is clearly and precisely set forth in the Report and Recommendation and is incorporated by reference. Based upon the Report and Recommendation of the Magistrate Judge and upon all of the files, records, and proceedings herein, the Court now makes and enters the following:

ORDER

1. Magistrate Judge Tony N. Leung's August 29, 2016 Report and Recommendation (Doc. No. [17]) is **ADOPTED**.
2. This action is **DISMISSED WITHOUT PREJUDICE** for failure to prosecute.

LET JUDGMENT BE ENTERED ACCORDINGLY.

Dated: September 19, 2016

s/Donovan W. Frank
DONOVAN W. FRANK
United States District Judge